



Food and beverage advertising and responsible advertising to children

EGTA ISSUE BRIEF ON FOOD ADVERTISING

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ADVERTISING AIMED AT CHILDREN

The audiovisual industry's concern is that marketing communications play an important role in our economy and society. For example, data has shown that over 90% of the net revenues coming from advertising aimed at children in the EU are reinvested in children's programmes. In the digital economy, there is no alternative method to ensure investment in original children's programming and in the acquisition of programme rights.



// Context

In recent years, the challenge of rising obesity levels across Europe has led to calls for restrictions on the advertising of food high in fat, salt and sugar (HFSS) that are claimed to be particularly directed at minors. At EU level, Health Ministers called, in recent Council Conclusions on Nutrition and Physical Activity (June 2014), for further action to "reduce the exposure of children to advertising, marketing and promotion of foods high in saturated fats, trans-fatty acids, added sugars or salt" and to "counteract misleading, excessive or inadequate forms of advertising and marketing"¹.

This view has been echoed by the World Health

Organisation (WHO), which has called upon countries to have well-functioning regulatory authorities to protect their populations from the marketing of unhealthy foods and beverages to children.

Driven by a variety of factors, from inactive lifestyles to unbalanced diets, the public health challenge posed by obesity can only be tackled by a collective effort of the public, private and not-for-profit sectors. Broadcasters, advertisers and agencies support industry-wide initiatives to promote healthier choices and eating habits. While there is no evidence that advertising is a significant factor in obesity, it clearly has a role to play alongside industry, parents, governments,

¹ Council conclusion on nutrition and physical activity; Employment, Social Policy, Health and Consumer Affairs Council meeting, Luxembourg, June 20 2014.

health professionals and many others. This has resulted in member states implementing their own self-regulatory codes, for example in France where warning messages are required in all HFSS food ads. Similarly in the UK, self-regulatory codes ban the advertising of HFSS products around TV programmes of particular appeal to children, and content rules apply to all forms of advertising – including online, branded games and social media.

/ / Legislation

A self-regulatory approach has framed advertising for food and beverages in and around children's programmes, as endorsed and encouraged in the Audiovisual Media Services Directive (AVMSD), Article 4(7). Since the adoption of the Directive in 2007, the industry has adopted a number of self-regulatory measures, which have achieved – under the close scrutiny of the European Commission – significant results in reducing the exposure of children under 12 years old to advertisements promoting certain food and beverages.

A 2010 implementation progress report by the European Commission on its strategy for obesity² highlights that while the implementation of the AVMS clause on food advertising self-regulation is a work in progress, "the majority of the Member States have agreed with economic operators on a code of conduct within the framework of either a co- or a self-regulatory mechanism for the implementation of the code. Monitoring mechanisms have been put in place by most Member States with the aim of evaluating the implementation of these co- or self-regulatory mechanisms. These mechanisms are either governed by the Government, by an independent body that oversees the code implementation or by media providers following the compliance of their advertisers with the code."

EGTA'S ACTIONS

egta and its member sales houses have taken action under Article 9(2) of the AVMSD which states that: "Member states and the Commission shall encourage media service providers to develop codes of conduct regarding inappropriate audiovisual commercial communications, accompanying or included in children's programmes, of foods and beverages containing nutrients and substances with a nutritional or physiological effect, in particular those such as fat, trans-fatty acids, salt/sodium and sugars, excessive intakes of which in the overall diet are not recommended."

² Strategy for Europe on nutrition, overweight and obesity related health issues, Implementation Progress Report, December 2010.

// egta position

Revenues generated from advertising are often the only source of income for original television programming. This is of particular relevance in relation to children's television.

In view of the significant impact that any restrictions would have on the media industry, and in the context of the reiterated acknowledgment by European institutions of the role played by self-regulatory mechanisms in this field, egta has engaged in numerous initiatives aimed at strengthening food advertising self-regulation and, in turn, demonstrated the effectiveness of the industry's initiatives in responding to the obesity challenge.

As far back as October 2008, egta published a *Recommendation Paper on Self-Regulation on Food and Beverage Advertising* urging its member television sales houses to engage in discussions with advertisers and agencies at the national level to envisage what concrete steps can be taken to further strengthen advertising self-regulation in their markets.

As part of the EU Platform on Diet, Physical Activity and Health, egta undertook two initiatives in 2010. Firstly, egta held a workshop that offered egta member sales houses a forum to discuss, together with the other parts of the advertising industry, the effectiveness of initiatives undertaken by broadcaster sales houses in response to European decision-makers' calls to address the content of food advertising to children via self-regulation and to discuss what more can be done by the advertising industry collectively. Secondly, on the occasion of the workshop, egta presented its *Interpretative Guidelines on the ICC Framework for Responsible Food and Beverage Marketing Communication*. This publication addresses egta member professionals in charge of screening advertisements and has the ultimate goal of ensuring that all broadcast advertising complies with the most commonly used self-regulatory code.



additional egta information available upon request:

- **egta's interpretative guidelines on the ICC framework for responsible food and beverage marketing communication.**
- **egta database on TV advertising regulation.**

Contact person:

Sadaf Hussain

sadaf.hussain@egta.com

egta

22, Rue des Comédiens, boîte 4

1000 Brussels

Belgium

T: + 32 2 290 31 31

F: + 32 2 290 31 39

www.egta.com